

ORDINANCE NO. 890

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLIAMS AMENDING TITLE 2, CHAPTER 3 OF THE CITY CODE RELATING TO BOARDS, COMMITTEES AND COMMISSIONS

WHEREAS the City Council of the City of Williams values the dedication and service of those who make up the various boards, committees and commissions; and

WHEREAS the City Council of the City of Williams desires to establish consistent regulations for the various boards, committees and commissions; and

WHEREAS the City Council of the City of Williams also desires to establish a minimum age requirement for all persons serving on such boards, committees and commissions; and

WHEREAS the City Council of the City of Williams further desires to require that, with certain listed exceptions, all persons serving on such boards, committees and commissions be residents of Williams;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WILLIAMS, ARIZONA, DOES ORDAIN AS FOLLOWS:

Title 2, Chapter 3 of the Williams City Code is amended to read as follows:

CHAPTER 2-3. - BOARDS AND COMMISSIONS

The following Boards and Commissions shall consist of seven (7) members each, appointed by the Mayor and Council of the City of Williams:

Planning and Zoning Commission
Board of Adjustments
Golf Committee
Historic Preservation Commission
Airport Advisory Committee

- (a) Each Board and Commission shall have as ex-officio member, the Mayor and one additional Councilperson appointed or designated by the City Council.
- (b) The term of each member appointed to the enumerated Boards and Commissions shall expire July 1, of the year of the Council elections, commencing in 1990.
- (c) At the first meeting of the newly elected City Council, each Council member shall have the courtesy of nominating one (1) individual for appointment to each of the enumerated Boards and Commissions.
- (d) Each member appointed to any Board, Committee or Commission, including those enumerated above and those listed in Articles 2-3.01 and following, shall have attained the age of eighteen (18) years and shall have resided in the City of Williams at least one (1) year on the date of such appointment, except that no more than three (3) members of the Golf Committee and no more than three (3) members of the Airport Advisory Committee may reside outside the City of Williams.

Article 2-3.01 - Planning and Zoning Commission (1961 Code/Amended)

- (a) Establishment. The planning and Zoning Commission of the City of Williams is hereby established.
- (b) Chairman and Vice Chairman. The Commission shall elect a Chairman and Vice-Chairman from among its own members, who shall serve for one (1) year and until their successors are elected and qualified. The Chairman shall preside at all meetings and exercise all the usual rights, duties and prerogatives of the head of any similar organization. The Chairman shall have the power to administer oaths and to take evidence. The Vice-Chairman shall perform the duties of the Chairman in the latter's absence or disability. Vacancies created by any cause shall be filled for the unexpired term by a new election.

- (c) Powers and Duties. It shall be the duty of said Commission to formulate, create and administer any lawful plan duly adopted by the City Council for the present and future growth of the City, pertaining to the use of land and buildings for any purpose, together with all incidental activities usually associated therewith and commonly known as "Planning and Zoning"; to make or cause to be made a continuous study of the best present and future use to which land and buildings shall be put within the City and in cooperation with adjacent areas; to recommend to the City Council revisions in such plans which, in the opinion of the said Commission, are for the best interest of the citizens; to promulgate rules of procedure and to supervise the enforcement of rules so promulgated by said Commission and approved by the City Council.
- (d) Meetings - The Commission shall provide in its rules for its meetings; provided, however, that special meetings may be called by the Chairman or in his absence the Vice-Chairman. In addition, any three (3) members of the Commission may make written request to the Chairman for a special meeting and in the event such meeting is not called, such members may call such special meeting in such manner and form as may be provided in the Commission rules.
- (e) Quorum - Four (4) members shall constitute a quorum. The affirmative vote of four (4) members shall be required for passage of any matter before the Commission. In this connection, the minutes of the meeting shall reflect the "ayes" and "nays" cast on particular shall and the reflect the vote of each member present. A member may abstain from voting only upon a declaration that he has a conflict of interest, in which case such member shall take no part in the deliberations on the matter in question.
- (f) Assessment of Fees - The Planning and Zoning Commission shall be authorized to establish a uniform schedule of fees for services with all receipts to be paid into the General Fund of the City of Williams. Such fee schedules shall become effective upon approval by the City Council.
- (g) Appeals - Any person who has been aggrieved by a decision of the Planning and Zoning Commission may appeal to the City Council for hearing within thirty (30) days from such decision. (Ord. 502)

Article 2-3.02 - Library Board

- (a) Establishment - The Library Board for the City of Williams is hereby established.

- (b) Members and Compensation - The City Council shall appoint six (6) residents of the City of Williams as Trustees of its library. They shall hold office for three (3) years beginning July 1 in the year of their appointment, unless sooner removed for good cause. Upon the first appointment of trustees they shall, at their first meeting, divide themselves by lot into three (3) classes, one-third (1/3) to serve for one (1) year; one-third (1/3) to serve for two (2) years; and one-third (1/3) to serve for three (3) years. The office shall be honorary and without compensation.
- (c) Meetings - The Trustees shall meet for business purposes on the first Monday before the second Tuesday of each month, and at such other times as they shall appoint, at a place to be provided for the purpose. They may elect from their body a President and a Secretary, and may adopt an official seal. The Secretary shall keep a full statement and account of all property, receipts and expenditures, and a record of the proceedings of the Board. The Trustees shall have charge of the library and all library property and may appoint a Librarian, who shall be a resident of the City.
- (d) Power of Trustees - The Trustees, by a majority vote of their members recorded in the minutes with the "ayes" and "nays" at length, may:
 - (1) Make and enforce all rules, regulations and by-laws necessary for the administration and government of the library and all library property;
 - (2) Exercise and administer any trust declared or created for the library or reading room;
 - (3) Define the powers and prescribe the duties of Officers and elect and remove at will, Officers and Assistants;
 - (4) Purchase necessary books, journals, publications and other personal property;
 - (5) Order the drawing and payment, upon properly authenticated vouchers, certified by the President and Secretary, of money out of the library fund for any liability authorized;
 - (6) Fix the salary of the Librarian; and
 - (7) By and with the consent and approval of the City Council, purchase real property and erect and equip buildings as may be necessary for the Library and reading room(s).
- (e) Warrants - The warrant of the Trustees, when made and authenticated, shall be verified and audited by the auditing officer, and paid by the Treasurer of the City from the Library Fund.

- (f) Annual Report - The Trustees, on or before the first Monday of July of each year, shall make a report to the City Council containing:
 - (8) A full statement of all property and money received, where derived and its use and expenditure;
 - (9) The number of books, journals, and other publications on hand, the number added by gift, purchase or otherwise during the year, the number lost or missing and the number and kind of those loaned;
 - (10) Such other statistics, information and suggestions as may be of general interest; and
 - (11) A financial report, showing all receipts and disbursements of money, shall be made by the Secretary of the Board of Trustees and shall be verified by oath.
- (g) Receipt of Gifts - The City of Williams may receive, hold or dispose of gifts made to them for library purposes and may apply them in a manner which will best promote the uses of the library, subject to the terms of the gift. (1961 Code)

Article 2-3.03 - Board of Adjustments (Ord.503)

- (a) Established - The Board of Adjustments of the City of Williams is hereby established.
- (b) Chairman and Vice-Chairman - The Board shall elect a Chairman and a Vice-Chairman from among its own members, who shall serve for one (1) year and until their Successors are elected and qualified. The Chairman shall preside at all meetings and exercise all the rights, duties and prerogatives of the head of any similar organization. The Chairman shall have the power to administer oaths and take evidence. The Vice-Chairman shall perform the duties of the Chairman in the latter's absence or disability. Vacancies created by any cause shall be filled for the unexpired term by a new election.
- (c) Powers and Duties - It shall be within the power and the duty of the Board to:
 - (1) Hear and decide appeals in which it is alleged there is an error in an order, requirement or decision made by the Zoning Administrator in the enforcement of the Zoning Ordinance;
 - (2) Hear and decide appeals for variances from the terms of the Zoning Ordinance only if, because of special circumstances applicable to the property, including its size, shape, topography, location or surroundings the strict application of the Zoning Ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district. Any variance

granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations Up011 other properties in the vicinity and zone in which such property is located; and

- (3) Reverse or affirm, wholly or partly, or modify the order requirement or decision of the Zoning Administrator appealed from, and make such order, requirement, decision or determination as necessary.

(d) Powers Not Granted - The Board of Adjustments may not:

- (4) Make any changes in the uses permitted in any zoning classification or zoning district, or make any changes in the terms of the Zoning Ordinance provided the restriction in this section shall not affect the authority to grant variances pursuant to this Chapter; or

- (5) Grant a variance if the special circumstances applicable to the property are self-imposed by the property owner.

(e) Meetings - The Board shall provide in its rules for its meetings; provided, however, that special meetings may be called by the Chairman or in his absence the Vice-Chairman. In addition, any three (3) members of the Board may make written request to the Chairman for a special meeting and in the event such meeting is not called, such members may call such special meeting in such manner and form as may be provided in Board rules.

(f) Quorum - Four (4) members shall constitute a quorum. The affirmative vote of four (4) members shall be required for passage of any matter before the Board. In this connection, the minutes of the meeting shall reflect the "ayes" and "nays" cast on a particular measure and shall reflect the vote of each member present. A member may abstain from voting only upon a declaration that he has a conflict of interest, in which case such member shall take no part in the deliberations on the matter in question.

(g) Assessment of Fees - The Board of Adjustments shall be authorized to establish a uniform schedule of fees for services with all receipts to be paid into the General Fund of the City of Williams. Such fee schedules shall become effective upon approval by the City Council.

(h) Judicial Review - Any person aggrieved by any act or decision of the Board of Adjustments may appeal to the Superior Court, Coconino County, Arizona, within thirty (30) days from the decision or action from which the appeal is taken.

Article 2-3.04 - Golf Committee

- (a) Establishment - The Golf Committee of the City of Williams is hereby established.
- (b) Membership - The Golf Professional of Williams Elephant Rocks Golf Course shall automatically be appointed as a member of the Golf Committee.
- (c) Chairman - The members of the Committee shall meet the first Monday of every July to elect members to serve as Chairman and as Vice-Chairman for a term of one (1) year from July 1st through June 30th. The Chairman shall preside at all meetings and exercise all the rights, duties and prerogatives of the head of any similar organization. The Vice-Chairman shall perform the duties of the Chairman in the latter's absence or disability. Vacancies created by any cause shall be filled for the unexpired term by a new election.
- (d) Quorum - Four (4) members shall constitute a quorum. The affirmative vote of four (4) members shall be required for passage of any matter before the Committee. A member may abstain from voting only upon a declaration that he has a conflict of interest, in which case such member shall take no part in the deliberations on the matter in question.
- (e) Duties and Powers - The Golf Committee is not constituted as an agency of the City Council, but is created to assist and aid the Council in its operation, regulation and supervision of the City of Williams Elephant Rocks Golf Course in accordance with the Arizona Revised Statutes.
- (f) The Committee shall be responsible to negotiate, review, recommend to and advise the Council on all matters relating to the conduct of the Williams Elephant Rocks Golf Course, and the same shall be in writing. Rules and regulations may be proposed by the Committee, but such rules and regulations shall be enacted only by the City Council.
- (g) No real property shall be disposed of by the Committee by sale, lease or otherwise, but the Committee shall advise the Council on such matters. The Committee may negotiate to lease space, area or improvements and the granting of concessions for aeronautical purposes or purposes incidental thereto, and advise the Council in writing of their recommendations.

Article 2-3.05 - Housing Authority

- (a) Established - The Housing Authority of the City of Williams is hereby established, as an agent of the City pursuant to Arizona Revised Statutes Section 36-1404; and delegated to the Housing Authority is the power to construct, maintain, operate and manage a housing project or projects, and also any or all of the powers conferred on the City by A.R.S. Section 36-1401 et

seq., except the power to borrow money, issue bonds and acquire real property.

- (b) Members and Compensation - The Mayor shall appoint five (5) persons as Commissioners of the Authority. Commissioners first appointed shall be designated to serve terms of one (1), two (2), three (3), four (4), and five (5) years, respectively, from the date of their appointment, but thereafter Commissioners shall be appointed for a term of office of five (5) years. A Commissioner of the Authority shall not hold any other office or employment of the City. A Commissioner shall hold office until his successor has been appointed and is qualified. A certificate of appointment or reappointment of a Commissioner shall be filed with the Clerk and a certificate shall be conclusive evidence of the due and proper appointment of the Commissioner. A Commissioner shall receive no compensation for his services, but shall be entitled to reimbursement for necessary expenses, including travel, incurred in the discharge of his duties.
- (c) Secretary and Executive Director - The Housing Authority is authorized to employ a secretary who shall also act as Executive Director and shall be authorized to employ technical experts and such other officers, attorneys, agents and employees, permanent and temporary, as the Authority requires, to determine their qualifications, duties and compensation, and to delegate to one or more of them such powers or duties as the Authority deems proper.
- (d) Powers and Quorum; Chairman and Vice-Chairman - The powers delegated by the City to the Housing Authority shall be vested in the Commissioners. Three (3) Commissioners shall constitute a quorum for all purposes including conducting the business of the Authority and exercising its powers. Action may be taken by the Authority upon a vote of a majority of the Commissioners present. The Mayor shall designate which of the Commissioners shall be Chairman and Vice-Chairman, respectively. (Res. 593)

Article 2-3.06 - Airport Advisory Committee (Ord.637)

- (a) Establishment - The Airport Advisory Committee of the City of Williams is hereby established.
- (b) Chairman - The members of the Committee shall meet the first Monday of every July to elect members to serve as Chairman and as Vice-Chairman for a term of one (1) year from July 1st through June 30th. The Chairman shall preside at all meetings and exercise all the rights, duties and prerogatives of the head of any similar organization. The Vice-Chairman shall perform the duties of the Chairman in the latter's absence or

disability. Vacancies created by any cause shall be filled for the unexpired term by a new election.

- (c) Quorum - Four (4) members shall constitute a quorum. The affirmative vote of four (4) members shall be required for passage of any matter before the Committee. A member may abstain from voting only upon a declaration that he has a conflict of interest, in which case such member shall take no part in the deliberations on the matter in question.
- (d) Duties and Powers - The Airport Advisory Committee is not constituted as an agency of the City Council, but is created to assist and aid the Council in its operation, regulation and supervision of the City of Williams Municipal Airport in accordance with the Arizona Revised Statutes.
- (e) The Committee shall be responsible to negotiate, review, recommend to and advise the Council on all matters relating to the conduct of the Williams Municipal Airport, and the same shall be in writing. Rules and regulations may be proposed by the Committee, but such rules and regulations shall be enacted only by the City Council.
- (f) No real property shall be disposed of by the Committee by sale, lease or otherwise, but the Committee shall advise the Council on such matters. The Committee may negotiate to lease space, area or improvements and the granting of concessions for aeronautical purposes or purposes incidental thereto, and advise the Council in writing of their recommendations.

Article 2-3.07 - Historic Preservation Commission

(a) MEMBERSHIP

- (1) The Williams Historic Preservation Commission is hereby established. Appointed members shall have demonstrated interest, experience or knowledge in one of the following: history, architecture, planning, archaeology, historic archaeology, real estate, historic preservation, law or a related field. If expertise in one of the above mentioned fields/disciplines is not available locally, then the Commission must obtain expertise in that field when considering National Register nominations and other actions that will impact historic properties.
- (2) The Historic Preservation Commission shall meet at least four (4) times each year and follow the provisions of the Arizona Open Meeting Law.
- (3) Chairman and Vice Chairman. The Commission shall elect a Chairman and Vice-Chairman from among its own members, who shall serve for one (1) year and until their successors are elected and qualified. The Chairman shall preside at all

meetings and exercise all the usual rights, duties and prerogatives of the head of any similar organization. The Chairman shall have the power to administer oaths and to take evidence. The Vice-Chairman shall perform the duties of the Chairman in the latter's absence or disability. Vacancies created by any cause shall be filled for the unexpired term by a new election.

(b) STATEMENT OF THE COMMISSION'S POWERS

(c) Unless otherwise specified herein, the powers and duties of the Historic Preservation Commission shall be as follows:

- (4) The Historic Preservation Commission shall be advisory to the Mayor and Council in all matters regarding historic preservation in the City of Williams.
- (5) Adopt criteria consistent with the National Register of Historic Places for the identification of historic districts.
- (6) Prepare, or cause to be prepared, a comprehensive inventory of historic buildings and districts in the City of Williams.
- (7) Increase public awareness of the value of historic, architectural, archaeological and cultural preservation by developing and participating in public information programs.
- (8) Make recommendations to the Mayor and Council concerning the utilization of grants from federal and state agencies, private groups and individuals on the utilization of budgetary appropriations to promote historic preservation in Williams. The Commission shall raise funds as necessary to promote its programs and activities.
- (9) Make known to the owners of historic properties and the public standards for architectural review and appoint three (3) members of the Historical Commission to sit on the Development Review Board when review of preservation projects occurs.
- (10) Evaluate and comment Upon decisions by other public agencies affecting the physical development and land use patterns in historic districts as appropriate.
- (11) Hold public hearings as specified in this ordinance.
- (12) Any other functions which may be designated by resolution or motion of the Council.

(d) REPORTING AND NOTIFICATION PROCEDURES

- (13) The Commission shall follow notification procedures under the Arizona Open Meeting Law as well as those discussed in this Article.
- (14) The Commission shall keep written, public minutes.

- (15) The Commission shall prepare a written annual report of Commission activities that is provided to the Mayor and Council, the State Historic Preservation Officer and is available to the public.

Article 2-3.08 - Parks and Recreation Commission

- (a) There is hereby established a Parks and Recreation Commission of the City of Williams to serve in an advisory capacity to the Mayor and Council on Parks and Recreation matters such as:
- (1) Citizens' requests for park and recreation improvements, facilities and programs;
 - (2) Coordinating City/school/County functions;
 - (3) Coordination with special interest activities such as Little League, youth football, softball tournaments, tennis tournaments and other activities;
 - (4) The planning and promotion of recreation facilities, programs and activities.
- (b) The Mayor and Council shall strive to appoint members to the Commission that have a broad range of recreation interest and experience such as golf, skiing, youth sports and adult sports. The Parks and Recreation Director shall be an ex officio member of the Parks and Recreation Commission.
- (c) The Parks and Recreation Commission shall establish its rules of procedure, and shall establish regular meeting dates. (Ord. 690 §1, 1990)
- (d) Chairman and Vice Chairman. The Commission shall elect a Chairman and Vice-Chairman from among its own members, who shall serve for one (1) year and until their successors are elected and qualified. The Chairman shall preside at all meetings and exercise all the usual rights, duties and prerogatives of the head of any similar organization. The Chairman shall have the power to administer oaths and to take evidence. The Vice-Chairman shall perform the duties of the Chairman in the latter's absence or disability. Vacancies created by any cause shall be filled for the unexpired term by a new election.

PASSED, APPROVED and ADOPTED by the Mayor and Council of the City of Williams, Arizona this 13th day of December, 2007, by a vote of 7 in favor, 0 opposed.

ATTEST

Harry Holmes, City Clerk

Kenneth Edes, Mayor

APPROVED AS TO FORM:

City Attorney